

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ABDELAZIZ BENNOUR,)	
)	
Petitioner)	
)	Civil Action No.
v.)	04cv12149-MLW
)	
BRUCE CHADBOURNE, FIELD OFFICE)	
DIRECTOR, BUREAU OF IMMIGRATION)	
AND CUSTOMS ENFORCEMENT,)	
UNITED STATES DEPARTMENT OF)	
HOMELAND SECURITY)	
)	
Respondent ¹)	

MOTION TO DISMISS

Respondent moves to dismiss this action pursuant to Fed. R. Civ. P. rules 12(b)(1) and (6) for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/Frank Crowley
FRANK CROWLEY
Special Assistant U.S. Attorney
Department of Homeland Security
P.O. Box 8728
J.F.K. Station
Boston, MA 02114
(617) 565-2415

¹ The responsive official of the Department of Homeland Security responsible for enforcement of petitioner's removal order in the instant action is Bruce Chadbourne, Field Office Director for Detention and Removal, Department of Homeland Security, Bureau of Immigration and Customs Enforcement ("ICE") in Boston, Massachusetts.

CERTIFICATE OF SERVICE

I hereby certify that I caused true copy of the above document to be served upon pro se petitioner by mail on October 13, 2004.

s/Frank Crowley

FRANK CROWLEY

Special Assistant U.S. Attorney

Department of Homeland Security

P.O. Box 8728

J.F.K. Station

Boston, MA 02114